

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA

ERIC D. SMITH,)	
)	
Petitioner,)	
v.)	No. 1:07-cv-127-RLY-WTL
)	
STAN KNIGHT,)	
)	
Respondent.)	

Entry Discussing Petition for Writ of Habeas Corpus

The petition of Eric D. Smith ("Smith") for a writ of habeas corpus is **denied** and this action is **dismissed with prejudice**. This disposition is based on the following facts and circumstances:

1. Smith seeks a writ of habeas corpus pursuant to 28 U.S.C. § 2254(a) with respect to a prison disciplinary proceeding identified as No. ISR 06-10-0088, wherein he was found guilty of having violated prison rules of conduct by violating any state or federal law.


2. Smith is entitled to a writ of habeas corpus if he is "in custody in violation of the Constitution or laws or treaties of the United States." 28 U.S.C. § 2254(a).

3. The sanction imposed on Smith following a disciplinary hearing was the imposition of a period of segregation. This sanction did not constitute a deprivation of sufficient severity to support the "in custody" requirement of § 2254(a), *Montgomery v. Anderson*, 262 F.3d 641, 644 (7th Cir. 2001), nor in the loss of a liberty interest within the meaning of federal due process. *Sandin v. Conner*, 115 S. Ct. 2293, 2300 (1995).

Accordingly, the respondent's motion to dismiss is **granted** and Smith's petition for a writ of habeas corpus must be **denied**. Judgment consistent with this Entry shall now issue.

IT IS SO ORDERED.

Date: 5/3/07



RICHARD L. YOUNG, JUDGE
United States District Court
Southern District of Indiana